

MINUTES

MANSFIELD PLANNING AND ZONING COMMISSION

Regular Meeting, Monday, May 5, 2008

Council Chambers, Audrey P. Beck Municipal Building

Members present: R. Favretti (Chairman), B. Gardner, J. Goodwin, R. Hall, K. Holt, P. Kochenburger,

P. Plante (8:35 p.m.-9:22 p.m.), B. Pociask, B. Ryan

Alternates present: M. Beal, G. Lewis, L. Lombard

Staff present: G. Padick (Director of Planning)

Chairman Favretti called the meeting to order at 8:35 p.m. and appointed alternate Lewis to act in case of a member's disqualification.

Holt moved, Ryan seconded, to add to New Business a letter from William Lukas (file #1261). MOTION PASSED with Goodwin disqualified.

Minutes:

4-21-08- Kochenburger MOVED, Holt seconded, to approve the 3/17/08 minutes as corrected. MOTION PASSED UNANIMOUSLY. Hall noted that he listened to the tapes.

Scheduled Business:

Public Hearing:

Subdivision Application, Windwood Acres, Baxter Estates Section II, 6 lots off of Storrs Rd., Crossen., o/a File # 1229-2

Chairman Favretti opened the Public Hearing at 8:38 p.m. Members present were R. Favretti, B. Gardner,

J. Goodwin, R. Hall, K. Holt, P. Kochenburger, P. Plante, B. Pociask, B. Ryan, and alternates M. Beal, G. Lewis, L. Lombard. Gregory J. Padick, Director of Planning, read the legal notice as it appeared in the Chronicle on 4-22-08 and 4-30-08 and referenced a 5-1-08 memo from Gregory J. Padick, Director of Planning; a 5-1-08 memo from Jeff Polhemus, Chief Sanitarian, EHHD; a 5-1-08 memo from Grant Meitzler, Assistant Town Engineer; a 4-30-08 memo from John Jackman, Deputy Chief/Fire Marshal; a 3-17-08 letter from John DeCastro P.E., CT DOT; and a set of reduced copy revised plans that were distributed to all members this evening. Padick noted that not all the advisory committees have completed their reports and recommended keeping the Public Hearing open until 6/2/08. It was also noted that testimony from the Inland Wetlands Agency's Public Hearing on this application will be entered into the record for the PZC's Public Hearing.

Mark E. Peterson, P.E., of Gardner & Peterson Associates, LLC, represented the applicant. He outlined the key components of the Assistant Town Engineer's report and agreed with the comments made. He then reviewed comments in the Director of

Planning's memo and stated that he is working to address several issues raised, and will submit a formal letter of request for a waiver for underground utilities.

Gardner questioned the comment about public utilities raised in the memo from EHHD. Peterson stated that they are waiting for a letter to clarify this issue.

Pociask noted that the plans indicate that geothermal wells are proposed for each house. He asked if there are separation requirements for this. Peterson stated that the applicant is starting to incorporate more energy efficient components to the houses he is building and noted that because this is a closed geothermal well system, no separation distance is required. Pociask suggested that staff look into adding wording into the zoning regulations regarding this issue, stating that people are starting to become more "Green" and the Commission will most likely be seeing more of this type of installation in the coming years.

Peterson submitted return receipts for the PZC and the IWA certified notification letters.

Discussion was held about the common driveways. Gardner questioned if 20' is wide enough according to public safety standards. Hall asked how long the merged section of the driveway is. Peterson responded that it is 300' long with by-pass areas.

Favretti noted that there were no further comments from the Commission, public or applicant.

Plante MOVED, Hall seconded, to continue the Public Hearing to 6/2/08. MOTION PASSED UNANIMOUSLY.

Public Hearing Continuation:

11 lot Subdivision Application, Wormwood Hill and Knowlton Hill Roads, Green o/a, File #1269

Chairman Favretti opened the continued Public Hearing at 9:00p.m. Members present were R. Favretti, B. Gardner, J. Goodwin, R. Hall, K. Holt, P. Kochenburger, P. Plante, B. Pociask, B. Ryan, and alternates M. Beal, G. Lewis, L. Lombard. Padick referenced a 5-1-08 Memo from Jeff Polhemus, Chief Sanitarian, EHHD; a 4-30-08 memo from Gregory J. Padick, Director of Planning; a 4-30-08 memo from John Jackman, Deputy Chief/Fire Marshal; a 4-30-08 memo from Mansfield Agriculture Committee; a 4-29-08 memo from Grant Meitzler, Assistant Town Engineer; an undated memo from the 4-15-08 meeting of the Open Space Preservation Committee; an undated memo from the 4-2-08 meeting of the Parks Advisory Committee; and a 5-1-08 letter with attachments from Attorney McGrath that was distributed this evening to all members. It was also noted that the testimony from the Inland Wetlands Agency Public Hearing will be entered into the record for the PZC Public Hearing.

Attorney McGrath submitted to the Commission a letter of request to extend the Public Hearing 35 days. Holt MOVED, Plante seconded, to accept the letter of request for a 35-day extension. MOTION PASSED UNANIMOUSLY.

McGrath stated that they would like to address comments made by staff and return at a later meeting with revised plans.

Rob Hellstrom, Land Surveyor, stated that he will present more details at the next meeting. He discussed changes made to the plans for Lots 5, 8, and 11. Padick asked Hellstrom to discuss tree cutting to improve sightlines with the Assistant Town Engineer. Padick also stated that Lot 3 presents difficult issues regarding the Development Area Envelope (DAE) and referred the applicant to Article VIII, Section B.6.a in the regulations.

Hall commented that trees grow in width and leaving roadside trees in place now because they don't affect the sightlines, doesn't mean they won't affect sightlines in the upcoming years.

Gardner asked the applicant to comment on the concerns raised by the Fire Marshal in his memo.

Goodwin asked Attorney McGrath if the applicant would be more specific regarding whether the proposed agricultural easement will provide for the construction of structures on the land subject to the easement.

Isabelle Atwood, Wormwood Hill Road, felt every effort should be made to preserve the roadside trees and stone walls related to this parcel because they contribute greatly to the scenic quality of this area.

Padick brought to the applicant and Commission's attention that IWA notification has gone out, but PZC notification had not. The applicant intends to rectify this and will submit return receipts at the Public Hearing continuation.

Favretti noted that there were no further comments from the Commission, public or applicant.

Gardner MOVED, Holt seconded, to continue the Public Hearing to 6/2/08. MOTION PASSED UNANIMOUSLY.

Public Hearing Continuation:

Special Permit Application, Request to approve the use of off-site parking to increase restaurant occupancy at the Thirsty Dog Pub, N. Eagleville Rd., File #930-7

Chairman Favretti opened the continued Public Hearing at 9:22 p.m. Members present were R. Favretti, B. Gardner, J. Goodwin, R. Hall, K. Holt, P. Kochenburger, B. Pociask, B. Ryan, and alternates M. Beal, G. Lewis, L. Lombard. Favretti appointed Lewis to act in Plante's absence. Padick referenced a 4-31-08 memo with sketch from Gregory J. Padick, Director of Planning; and distributed this evening a 5-2-08 memo with responses from the applicant to Padick's 4-31-08 memo.

Stephen Velardi, one of the owners of Thirsty Dog, introduced Tom Manning, Licensed Architect, of FLB Architecture, who presented his credentials. He reviewed the plans, highlighting the occupancy numbers for each section which he said were based on state fire and building codes.

Pociask was concerned that the egresses cannot support the maximum number of people proposed by the applicant. He expressed concern that anyone sitting, dining, or standing will have a difficult time passing to the restrooms and to the exits in time of an emergency.

Lombard questioned what the square footage is in the dining area. Many members expressed concern for the discrepancy in numbers throughout the numerous sets of plans. Padick stated that regardless of the state codes, he has trouble envisioning seated patrons easily moving past the standees in any of these areas to get to exits and restrooms, and for the servers' access to the patrons' tables.

Favretti asked Padick to explain the 203 occupancy number he presented in his memo compared to the 303 requested by the applicant.

Hall wondered if the bar seating is fixed.

Pociask questioned if putting a chest high partition aisle would subtract floor space from the occupancy number.

Lombard felt that the Town Attorney should look at discrepancy in number of people.

Gardner thinks that it would be over-crowded with a 303-person occupancy level and doesn't want to see another Station Night Club fire situation here.

Padick suggested that some questions may have to be referred to the Town Attorney, and noted that the Public Hearing can be closed tonight and the PZC can still receive a response from the Town Attorney.

Gardner MOVED, Hall seconded, to close the Public Hearing at 10:04 p.m. MOTION PASSED UNANIMOUSLY with Plante disqualified.

Old Business:

1. Zoning Agent's Report:

Items A - C were noted.

D. DAE Modification Request, 171 Mount Hope Road, PZC File #1191

Curt Hirsch, Zoning Agent, explained the request, and upon consensus of the Commission, a field trip was deemed necessary.

2. Modern Roundabout Presentation, Town of Mansfield Engineering and Public Works

Lon Hultgren, Public Works Director, and Tim Veillette, Project Engineer, presented a study on how traffic will function at the intersection of South Eagleville Road and Storrs Road once the Downtown Project has started. They discussed the advantages of a modern day roundabout and showed comparisons of different types of roundabouts and intersections with stoplights, including cost comparisons, design and safety issues. Lombard asked how this would impact emergency vehicles and Gardner questioned the funding.

Pociask wanted to know if they discussed this proposal with BL Companies who did the traffic studies for the Downtown Project. Hultgren noted that BL is the company hired to do the roundabout study. Hultgren also said that they will be presenting this proposal to the Downtown Partnership in the coming week.

3. Resubdivision application, 9 Proposed lots off of Dodd Road (Quiet Meadow), L. LaGuardia o/a

File #1108-2

Tabled: Public Hearing Continued until 5/19/08.

4. PZC-Proposed revisions to the Zoning Map and Zoning Regulations, File #907-30

Tabled: Public Hearing Continued until 5/19/08.

5. Special Permit Application, deposition of fill material, 66 Davis Road, L.M.

Romeo, o/a, File #1270

Tabled: Public Hearing set for 5/19/08./08)

New Business:

1. New Application to Amend Art. X. Sec. C.5. of the Zoning Regulations Re: Table Umbrella Signs. Storrs Associates, LLC. o/a File #1271

Goodwin MOVED, Holt seconded, to receive the application of Storrs Associates, LLC, to amend Article X, Section C.5. of the Zoning Regulations (File #1271), regarding signs that may be authorized with Zoning Permit Approval; new letter g. -Table Umbrella Signs, as submitted to the Commission, and to refer it to staff, Town Attorney and WINCOG Regional Planning Commission for review and comment, and to set a Public Hearing for 6/2/08. MOTION PASSED UNANIMOUSLY.

2. Request for filing date extension, Woodland Road Subdivision, Lukas o/a, File #1261

Goodwin disqualified herself. Holt MOVED, Gardner seconded, to grant a 90-day extension to the applicant. MOTION PASSED with all in favor except Goodwin who was disqualified.

Reports of Officers and Committees:

Favretti noted a 5/14/08 Field Trip at 1:00 p.m.

Favretti also noted a letter distributed this evening from Commissioner Kochenburger requesting a leave of absence from the Commission until September. Holt MOVED, Pociask seconded, to approve the leave of absence request submitted by Kochenburger effective immediately. MOTION PASSED with all in favor except Kochenburger who disqualified himself.

Communications and Bills:

None

Adjournment:

Favretti declared the meeting adjourned at 10:55 p.m.

Respectfully submitted,

Katherine K. Holt, Secretary